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9 Attorneys for Plaintiff  
REDACTED, INC.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 REDACTED, INC., a Delaware  
14 corporation,

15 Plaintiffs,

16 v.

17 REDACTED EXPO, a business of  
unknown classification; REDACTED  
18 BRANDS, LLC, a business of unknown  
classification; and DOES 1 through 3;

19 Defendants.  
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Case No. 3:18-2707

**COMPLAINT FOR:**

- (1) TRADEMARK INFRINGEMENT;**
- (2) FEDERAL UNFAIR COMPETITION;**
- (3) CYBERSQUATTING; AND**
- (4) CALIFORNIA UNFAIR COMPETITION**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Redacted, Inc. (“Redacted” or “Plaintiff”), for its Complaint against Defendants  
2 Redacted Expo; Redacted Brands, LLC; and Does 1-3 (collectively “Redacted Expo” or  
3 “Defendants”), by and through its undersigned counsel alleges as follows:

#### 4 **INTRODUCTION**

5 1. Redacted specializes in cyber security and risk assessment. Upon information and  
6 belief, Redacted Expo organizes and promotes cyber security conferences and events. Redacted  
7 seeks injunctive relief and damages arising from Redacted Expo’s unlawful use of Redacted’s  
8 REDACTED trademark to advertise and promote Redacted Expo’s cyber security conferences  
9 and events as well as Redacted Expo’s registration of domain names incorporating the  
10 REDACTED mark.

#### 11 **PARTIES**

12 2. Redacted, Inc. is a Delaware corporation with its principal place of business in San  
13 Francisco, California.

14 3. Upon information and belief, Defendant Redacted Expo is an entity of unknown  
15 classification which claims to be located in Orlando, Florida.

16 4. Upon information and belief, Defendant Redacted Brands, LLC is a business of  
17 unknown classification. Redacted Brands, LLC’s principal place of business is unknown at this  
18 time.

19 5. Upon information and belief, Does 1 through 3 are entities or individuals who own  
20 or control Defendants Redacted Expo and Redacted Brands, LLC and/or participated in; had the  
21 right and ability to supervise, direct and control; and/or derived direct financial benefit from the  
22 wrongful conduct alleged in this Complaint.

#### 23 **JURISDICTION**

24 6. This Court has subject matter jurisdiction over the federal claims asserted herein  
25 pursuant to 28 U.S.C. §§ 1331 and 1338 because this action alleges violations of the Lanham Act  
26 (15 U.S.C. §§ 1114, 1125). This Court has supplemental jurisdiction over the remaining claims  
27 under 28 U.S.C. § 1367.  
28



12. Redacted assists its customers by performing security, threat, and risk-management assessments, analyses, and investigations, enabling its customers to protect digital assets from cyber warfare, computer hacking, and computer viruses.

13. Redacted likewise provides fraud and identity theft protection services, namely, accessing, scanning, and monitoring of reports, the Internet, public records, and computer activity and accounts to facilitate the detection and prevention of data breaches, identity theft, and fraud.

14. Redacted also provides cyber insurance analysis services as well as consulting services in the field of risk-management, namely, providing review of cyber insurance for online hacking, data breach, and network security.

15. Redacted provides other services including assisting corporate clients in detecting and mitigating potential insider threats and providing physical and cyber security for high-net-worth individuals and high-level executives who require additional protection to secure their residence, their families, and their personal online activities.

#### **REDACTED'S TRADEMARK**

16. Redacted began using the REDACTED mark in commerce at least as early as January 27, 2016.

17. Since its first use, Redacted has continually used the REDACTED mark in connection with cyber security software and consulting services.

18. Redacted has invested substantial resources in marketing, advertising, and distributing its goods and services under the REDACTED mark.

19. Redacted has attained substantial goodwill and strong recognition in the REDACTED mark, and that mark has come to be associated with Redacted.

20. Redacted owns United States Patent and Trademark Office ("USPTO") Registration No. 5,382,625 for the REDACTED mark for use in association with numerous goods and services including but not limited to cyber insurance analysis; consulting services in the field of cyber insurance; providing and hosting a secure electronic system featuring technology that allows cyber surveillance to assist in providing defense against data breaches and privacy violations; computer security consultancy; security information services; computer software

1 testing to identify security vulnerability; computer forensic services; computer network security  
2 services and communications network security services including computer testing for  
3 vulnerability management and assessment, risk management and assessment, data breach threat  
4 analysis and network threat analysis; computer and network incident response and forensics and  
5 penetration testing; consulting in the field of critical incident response to information, computer,  
6 and internet security breaches; and computer security consulting services intended to identify,  
7 pursue, and deter threat actors. A true and correct copy of the registration for the REDACTED  
8 mark is attached hereto as Exhibit A.

9 21. Redacted also has pending applications for REDACTED, USPTO Serial No.  
10 87/428,667, for use in association with “[i]nsurance services, namely underwriting, issuing,  
11 administration, agency and brokerage services,” and USPTO Serial No. 87/122,608 for  
12 “[c]omputer software and hardware for performing security, threat, and risk-management  
13 assessments.”

14 22. Redacted has built a family of Redacted marks for use in association with its cyber  
15 security goods and services including but not limited to USPTO Registration No. 5,382,623 for  
16 the REDACTED (Stylized); USPTO Registration No. 5,382,626 for the REDACTED RISK  
17 MANAGEMENT; and several REDACTED-formative marks including USPTO Serial Nos.  
18 87/428,673, 87/122,603, 87/122,590, 87/637,057, 87/591,424, and 87/591,419.

19 23. Redacted’s website is located at <https://www.redacted.com>.

#### 20 **DEFENDANTS’ UNLAWFUL ACTS**

21 24. Upon information and belief, Defendants own and are responsible for the creation,  
22 development, supervision, and operation of the following domain names and social media  
23 profiles: <https://redactedexpo.com/>; <https://www.facebook.com/redactedexpo/>;  
24 <https://redacted.life/>; <https://www.facebook.com/RedactedLife-174360723316280/>;  
25 <https://www.instagram.com/redactedexpo/>; and <https://twitter.com/redactedexpo>.

26 25. Defendants’ websites and social media profiles feature the REDACTED mark as  
27 well as variants that are confusingly similar to Redacted’s REDACTED mark to advertise their  
28 cyber security conferences.

26. In or about December 2017 and January 2018, Defendants registered at least two domain names incorporating the REDACTED mark, redactedexpo.com and redacted.life.

27. Defendants advertise their cyber security conferences at websites located at the redactedexpo.com and redacted.life domains.

28. Defendants promote their Redacted 2018 cyber security conference as, “help[ing] you stay on top of the best tools, technology, and strategies for maintaining your privacy and security in this growing privacy-free world.” The conference recommends that “everyone” attend and notes that the conference “is open to all that want to learn about staying secure in an increasingly privacy-free world. Sessions will be offered for all levels of privacy-enthusiasts, and the expo hall will feature 100+ products and services that help protect your digital & physical footprint in 2018 and beyond.”

29. Redacted has not authorized Defendants to use Redacted’s REDACTED mark.

30. Although the LinkedIn page for Redacted Expo, <https://www.linkedin.com/company/redactedexpo/>, states that the Redacted Expo headquarters are located in Orlando, Florida, Redacted has been unable to locate any business registrations associated with a “Redacted Expo.”

31. The Redacted.Life website located at <https://redacted.life/>, states that the contents are “© 2018 Redacted Brands, LLC.” Redacted has been unable to locate a physical address or business registration for “Redacted Brands, LLC.”

**FIRST CLAIM FOR RELIEF**  
**Trademark Infringement (15 U.S.C. § 1114)**

32. Redacted realleges and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

33. Defendants’ unauthorized use of the REDACTED mark in association with the promotion of their cyber security events constitutes infringement of Redacted’s federally registered REDACTED mark in violation of 15 U.S.C. § 1114(1).

34. Because of Redacted’s continuous and exclusive use of the REDACTED mark, it has come to mean, and is understood by consumers to signify services of Redacted.



1 services offered and/or distributed in connection with the REDACTED mark as well as of trading  
2 upon Redacted's goodwill and business reputation.

3 45. Defendants' conduct constitutes (a) false designation of origin, (b) false or  
4 misleading description, and (c) false or misleading representation that the goods and services  
5 offered by Defendants originate from or are authorized by Redacted, all in violation of 15 U.S.C.  
6 § 1125(a).

7 46. As a consequence of Defendants' actions, Redacted has been and will continue to  
8 be irreparably harmed unless Defendants' activity is enjoined by this Court. Therefore, Redacted  
9 has no adequate remedy at law and is entitled to injunctive relief.

10 **THIRD CLAIM FOR RELIEF**  
11 **Cybersquatting (15 U.S.C. § 1125(d))**

12 47. Redacted realleges and incorporates by reference the allegations in the preceding  
13 paragraphs as if fully set forth herein.

14 48. The REDACTED mark was distinctive at all times relevant herein.

15 49. Upon information and belief, Defendants had a bad faith intent to profit from the  
16 REDACTED mark when registering the following Internet domain names: redactedexpo.com  
17 and redacted.life.

18 50. Defendants registered, trafficked in, or used the above domain names, which  
19 contain the REDACTED mark.

20 51. Defendants' registration and use of the infringing domain names has caused and  
21 will continue to cause monetary harm, in an amount to be proven at trial, resulting from the  
22 mistaken association of Defendants' services with Redacted.

23 52. Redacted is also suffering irreparable harm as a result of the above conduct, for  
24 which there is no adequate remedy at law. Therefore, Redacted is entitled to injunctive relief.

25 **FOURTH CLAIM FOR RELIEF**  
26 **California Unfair Competition**  
27 **(Cal. Bus. & Prof. Code § 17200, *et seq.*)**

28 53. Redacted realleges and incorporates by reference the allegations in the preceding  
paragraphs as if fully set forth herein.



54. Defendants have engaged in unlawful, unfair or fraudulent business practices that have and will continue to injure Redacted in its business or property.

55. Defendants have engaged in violations of state and federal law, including but not limited to infringing the REDACTED mark.

56. Defendants' acts alleged herein have caused monetary damage to Redacted, in an amount to be proven at trial, in the form of costs related to investigating and addressing Defendants' unlawful activities and harm to goodwill.

57. Defendants have caused and will continue to cause irreparable injury to Redacted. Redacted, therefore, is entitled to an order enjoining Defendants from further engaging in the conduct described above.

58. As a direct and proximate result of Defendants' conduct alleged herein, Defendants have been unjustly enriched and should be ordered to disgorge all profits earned as a result of such unlawful conduct.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for the following relief:

A. That judgment be entered in Plaintiff's favor against Defendants on all claims;

B. That Defendants and their officers, agents, representatives, servants, employees, heirs, successors, and assigns, and all others in active concert or participation with Defendants be preliminarily and permanently enjoined from:

(1) Using, in any manner whatsoever, Redacted's REDACTED mark, or any confusingly similar mark, logo, trade name, domain name or other source identifier;

(2) Infringing, inducing or enabling others to infringe Redacted's trademark rights; and

(3) Unfairly competing with Redacted.

C. An order requiring that the redactedexpo.com and redacted.life domains be transferred to Redacted.

1 D. An award to Plaintiffs of restitution and damages, including, but not limited to,  
2 liquidated, compensatory, statutory (including enhanced statutory damages for willful  
3 infringement), punitive damages, and all other damages permitted by law;

4 E. That Plaintiff be awarded pre-judgment and post-judgment interest on all damages  
5 awarded against Defendants;

6 F. An award to Plaintiff of its costs incurred in this suit, including, but not limited to,  
7 reasonable attorneys' fees; and

8 G. For such other relief as the Court deems just and proper.

9 **DEMAND FOR JURY TRIAL**

10 Plaintiff hereby demands a trial by jury of all issues so triable.

11  
12 DATED: May 8, 2018

**PERKINS COIE LLP**

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